

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

UNITED STATES DISTRICT COURT

for the
District of

Division

✓ FILED	LODGED
RECEIVED	COPY
DEC 07 2018	
CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
BY <u>SS</u>	DEPUTY

Case No. CV-18-04551-PHX-DJH

(to be filled in by the Clerk's Office)

Richard Wayne Thompson

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

OFC. METCALF / OFC. BROWNLori Scott / Veronica Pena

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

Jury Trial: (check one) ☐ Yes ☐ No

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Non-Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Address

County

Telephone Number

E-Mail Address

Richard Wayne Thompson

6802 N. 17th Ave Apt 16

Phoenix

AZ

85015

City

State

Zip Code

Maricopa

928-273-7563

rtt4yrkel@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

Job or Title (if known)

Address

County

Telephone Number

E-Mail Address (if known)

OFC. METCALF

Phoenix Police Mt. View Precinct

620 W. Washington St.

Phoenix

AZ

85003

City

State

Zip Code

Maricopa

602-262-5032

UNKNOWN

☐ Individual capacity☒ Official capacity

Defendant No. 2

Name

Job or Title (if known)

Address

County

Telephone Number

E-Mail Address (if known)

OFC. Brown

Phoenix Police Mt. View Precinct

620 W. Washington St.

Phoenix

AZ

85003

City

State

Zip Code

Maricopa

602-262-5032

UNKNOWN

☐ Individual capacity☒ Official capacity

Defendant No. 3

Name

Job or Title (if known)

Address

County

Telephone Number

E-Mail Address (if known)

Veronica Pena
 Adult Probation
 333 W. Hatcher RD
 PHOENIX AZ 85021
 City State Zip Code

☐ Individual capacity☒ Official capacity

Defendant No. 4

Name

Job or Title (if known)

Address

County

Telephone Number

E-Mail Address (if known)

Lori Scott
 PHX Police Asst. to Chief of Police
 620 W Washington St.
 PHOENIX AZ 85003
 City State Zip Code

☐ Individual capacity☒ Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐ Federal officials (a *Bivens* claim)☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

1st Amendment; 4th Amendment; 5th Amendment; 8th Amendment
 13th Amendment; 14th Amendment
 1st Amendment; 4th Amendment; 5th Amendment; 8th Amendment;
 13th Amendment; 14th Amendment

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

See attachment

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?

See attachment

- B. What date and approximate time did the events giving rise to your claim(s) occur?

See attachment

- C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

See attachment

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IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

See Attachment

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

See Attachment

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 12-7-18

Signature of Plaintiff

Printed Name of Plaintiff

Richard W. Thompson
RICHARD WAYNE THOMPSON

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address

(Defendant No. 1)

D. OFC. Metcalf "Acted under the Color of State Law," when he performed a Search and Seizure of my home, while I was not home, and with no warrant my 22yr old Son WAS FORCED outside, having his Civil Rights Violated

2017-12-69919

Defendant No 2.

OFC. Brown "Acted under the Color of State Law," when he performed a Search and Seizure of my home, while I was not home, and with NO WARRANT. My 22yr old Son WAS FORCED outside, having his Civil Rights Violated

2017-12-69919

Defendant No 3.

Adult Probation Officer, Veronica Pena had never searched my apartment, while I was not home. On July 24, 2017, she would herself, along with Phoenix Police, search my apartment while I was not home, forcing my son outside, but Veronica Pena did not search the apartment of White Combat Veteran Christopher Ortega, who was allowed to keep his guns while on Probation - Discrimination

Defendant No. 4

ETHICS and MOBILS Violations,
 WOEFUL NEGLIGENCE, Sgt. Lori Scott,
 Assistant to THE Phoenix Chief
 of Police, who was my POI, sent
 an email, stating what THE
 parameters were for Adult
 probation, even though she is
 not with THE Phoenix Police.
 She stated what Adult probation
 was allowed to do, but after
 I sent her proof of how
 Black Veterans are treated
 unfairly compared to white
 Veterans, she would send an
 email stating, Phoenix Police
 have nothing to do with Adult
 probation. Why did she comment
 on what Adult probation can and cannot
 do - She also implied guilt in
 reference to the illegal search.
 Sgt. Lori Scott has received Certified
 mail which signature receipt, so
 she has proof of Police misconduct

III.

These events took place at 324 N. 52ND St. Apt D, in Phoenix AZ 85003, and the actions of Defendants, created more stress factors in reference to PTSD and Mt. View, Phoenix Police Precinct are the reasons I would become a homeless Veteran again

IV

V. Relief, I ASK THE COURTS FOR Damages in the amount OF \$ 100, 000, 000 FOR THE Several Civil Rights and Amendment Violations

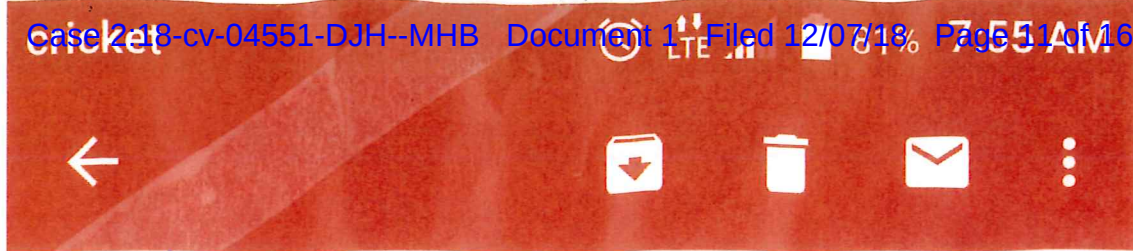
D. Defendant No 2., "Acted under the Color of State law", by Denying my right to trial; Refusing to use evidence proving my innocence and legal malpractice for Negligence involving medical records

Defendant No 3. "Acted under the Color of State law", by Denying my right to trial; Refusing to use evidence proving my innocence and legal malpractice for Negligence involving medical records

Defendant No 4., "Acted under the Color of State law", by Denying my right to trial; Refusing to use evidence proving my innocence and legal malpractice for negligence involving medical records

III. This took place under Case No: 2016-129136-001, in which Each Public defender DENIED my rights for trial; DENIED me Competent Counsel; Violated Ethics

IV THESE issues have made my PTSD much worse and also caused a break in my PTSD treatment, which violates ADA and HIPAA. This would lead to a Two month Jail Sentence, 13th Amendment violation



On Oct 31, 2018 9:41 AM, "Lori A Scott"

<Lori.Scott@phoenix.gov> wrote:

Good Morning Mr. Thompson,
I hope that this email reply finds you well. I did some research into your concern about the search of your residence in 2017. I found the following information, and I hope it clarifies some of the issues for you. In the state of Arizona a person on supervised probation is given terms and conditions of probation. These are rules that the court asks them to follow. Term # 4 indicates that while on probation they must submit to search of person vehicle or residence without warrant. This is pursuant to ARS 13-901 D. If a probation officer is present or requests assistance by law enforcement the search is valid. I hope this information helps.

Lori

Lori Ann Scott #7289

Administrative Sergeant



Hide quoted text

On Nov 1, 2018 8:20 AM, "Richard Thompson"
<rt14yrkel@gmail.com> wrote:

Wrong answer..... DISCRIMINATION

On Nov 1, 2018 8:18 AM, "Lori A Scott"
<Lori.Scott@phoenix.gov> wrote:

Mr. Thompson,

The phoenix police have no control over operational decisions made by the Maricopa County Probation department, so I am not able to answer your question. Please direct your question to them.

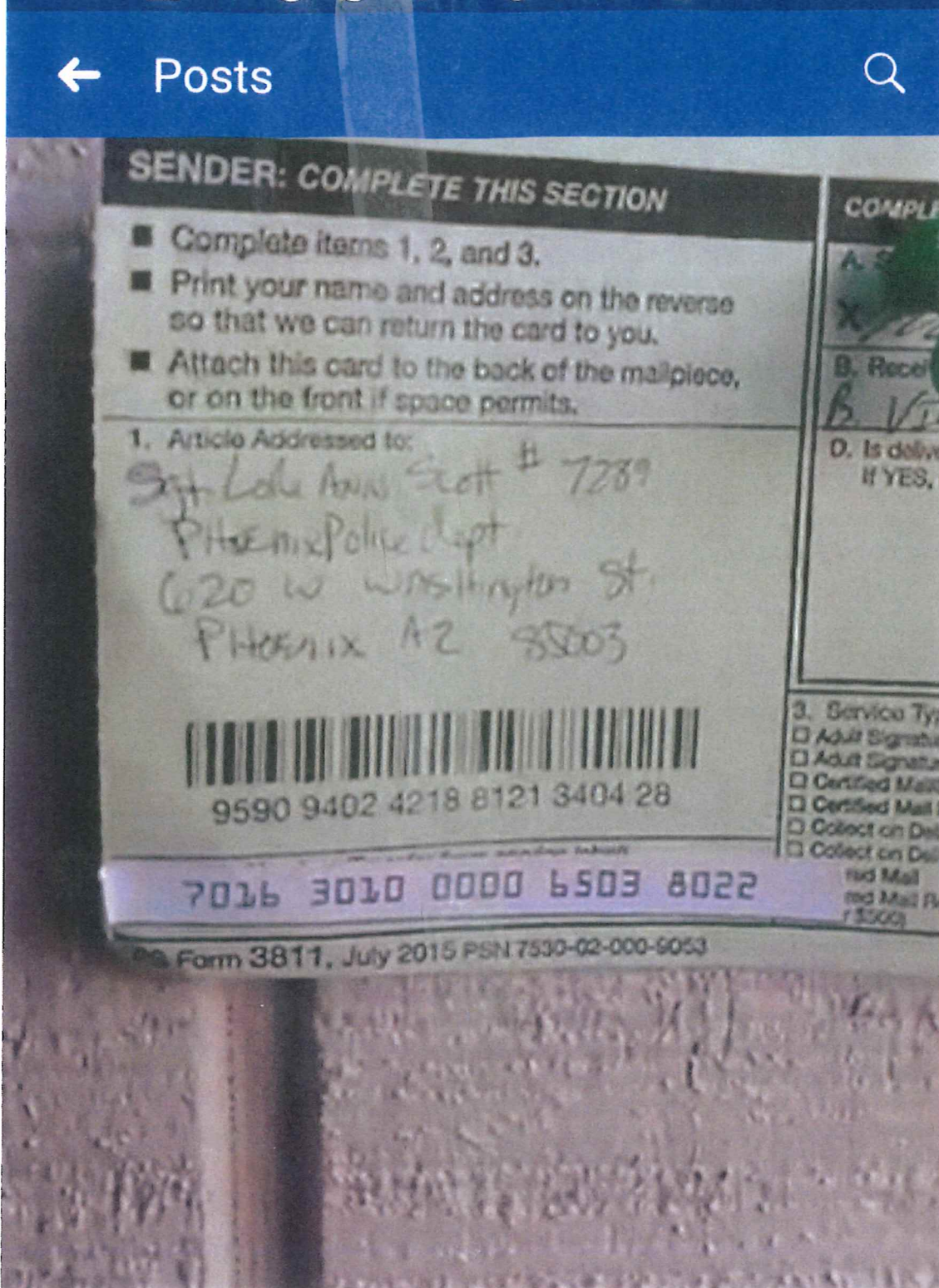
Lori

Lori Ann Scott #7289

Administrative Sergeant

Office of Administration

602-262-5032



660 views



Like



Comment



Share



Write a comment...





----- Forwarded message -----

From: <sgvk27@aol.com>

Date: Jan 4, 2018 12:09 PM

Subject: Re: Investigator

To: <glenmart47@cox.net>

Cc: <rt14yrkel@gmail.com>

* Rucker Reported these issues
to the FBI on my
behalf 602-284-7300

Dear Mr Rucker

WAS ASSISTING Tim SHAY OF
PHOENIX Police-

I am researching a considerable number of issues Mr Thompson has had with AZ police, courts, adoption boards, the VA and others. Can you let me know in what connection you are involved with Mr Thompson, and please share any relevant information confirming ill-treatment/rights abuses Mr Thompson has experienced.

I am a UK based american citizen, investigative journalist and rights campaigner. I will say that in things I have looked into so far in my career, the catalogue of apparent rights abuses, maladministration and mistreatment of Mr Thompson's is so widespread over so many agencies and over so long period of time, it is not easy to get a handle on it all; any light you can shed will be appreciated.

 You, Paula Lubbe and 3 others

23 Shares



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MARK CASEY
550 W. JACKSON ST.
PHOENIX, AZ 85003

FORCED TO RESIGN



9590 9402 3141 7166 1876 49

2. Article Number (Transfer from service label)

1000 0001 0597 4790

COMPLETE THIS SECTION ON DELIVERY

A. Signature

[Handwritten Signature]

B. Received by (Printed Name)

M. PREVILLE

D. Is delivery address different from item 1?
If YES, enter delivery address below

GOT IT ON
Sept. 5th

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)

- ☐ Priority Mail Express
- ☐ Registered Mail
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return

FORCED TO RESIGN AFTER HE RECEIVED UNLITIFIED MAIL, and GAVE STATEMENT TO REPORTER

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

OFFICER METCALF # C956
Mountain View Precinct
2075 E. Maryland Ave
Phoenix AZ 85016



9590 9402 4006 8079 0923 60

2. Article Number (Transfer from service label)

7018 0360 0001 3682 3396

COMPLETE THIS SECTION ON DELIVERY

A. Signature

- ☐ Agent
☐ Addressee

B. Received by (Printed Name)

LUTHER

C. Date of Delivery

9.6.18

D. Is delivery address different from item 1?

If YES, enter delivery address below:

☐ Yes☐ No

3. Service Type

- ☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery

- ☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Joaquin Enriquez / MC 50
550 W. Jackson St.
Phoenix AZ 85003



9590 9402 2882 7069 0094 23

7016 3010 0000 6503 8060

(over \$500)

COMPLETE THIS SECTION ON DELIVERY

A. Signature

- ☐ Agent
☐ Addressee

B. Received by (Printed Name)

ROLAND WAGNER

C. Date of Delivery

10/03/18

D. Is delivery address different from item 1?

If YES, enter delivery address below:

☐ Yes☐ No

Local City
Govt

3. Service Type

- ☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery

- ☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt